

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE CRIMINAL APPEAL NO.2415 OF 2007

Smt Shamshad Hanif Patel .. Applicant

vs

The State of Maharashtra .. Respondents

Mr.P.D.Dalvi for Applicant

Ms.S.D.Shinde, APP for Respondents

CORAM : V.C.DAGA, J

DATED : 8th August, 2007

P.C.

1. Heard learned Advocate for the applicant and the learned A.P.P. for the State.

2. Perused application and the material available on record.

3. The learned Advocate for the applicant is seeking bail in C.R.No.I-100/2007 registered with Rabale Police station, District Thane under sections 399, 402 of IPC read with sections 4 and 28 of the Indian Arms Act read with section 37 (1), 135 of the Bombay Police Act.

4. The case of the prosecution is that they intercepted a conversation on the mobile phone bearing No. 9323660687 and on the basis of intercepted conversation, they came to know that

the accused persons were preparing a plan to commit robbery of the employees of Parsik Janata Sahakari Bank while carrying cash at Airoli, Sector No.1.

5. The very same mobile phone came to be seized from the custody of the applicant. Therefore, there is a material to connect the present applicant with the offence alleged against her. It is no doubt true that she being a woman needs a special consideration for grant of bail. However, considering the nature of the activities carried on by her and absence of any source of earning and with a view to prevent her from committing further offence of similar nature, I do not think this is a fit case for grant of bail. Application is therefore, rejected.

(V.C.Daga, J)

